

## **REMARKS**

Applicants appreciate the Examiner's allowance of Claims 1, 5-7, 22-28, 38, 45, 52, 53, 57, 65, 70, 75 and 80.

Applicants are submitting a RCE with this amendment. Accordingly, it is requested that this amendment be entered.

### **Claim Rejections - 35 USC §103**

In the Final Rejection, the Examiner rejects Claims 2-4, 15, 16, 18-21, 30, 33, 35-37, 39-42, 44, 51, 54-56, 66-69, 71-74, 76-79 and 81-84 under 35 USC §103(a) as being unpatentable over Hamada in view of Wolf and Kobayashi et al.; Claims 31 and 34 over Hamada and Claim 17 over Hamada in view of Wolf and Kobayashi et al. These rejections are respectfully traversed.

Applicants respectfully submit that the combination of these references is improper. For example, Wolf teaches that planarization is performed for preventing an electrical disconnect of metal lines. In contrast, Applicants submit that there is no teaching in Hamada of a metal line over the pixel electrode and therefore no reason to employ the planarization taught in Wolf.

Further, the Examiner acknowledges that Hamada does not disclose a hole filled with an insulator, as recited in the rejected claims, but contends that Wolf teaches that a planarized surface must be provided for subsequent electrode formulation and since Hamada discloses final electrode 108, it would be obvious to planarize to prevent problems with that electrode. Applicants, however, could find no teaching or suggestion in Wolf that a planarized surface must be provided for subsequent electrode formation. Hence, there is no teaching in the references to make this combination.

Furthermore, a cathode of EL elements using TFTs is usually formed as a planar shape, not a line (see e.g. SID 2003, seminar lecture notes, vol. 1, M-7/55, 57, copy attached to IDS herewith).

Therefore, for at least the above-stated reasons, there is no teaching or motivation in the references to combine them. As the Court of Appeals for the Federal Circuit requires such a teaching or motivation in order to combine references, the combination of references is improper, and the rejection thereon should be withdrawn.

In addition, the invention claimed in the rejected claims achieved the unexpected and remarkable effect of preventing an EL layer in an electrode hole of a pixel electrode from being thinner than another portion which would have resulted in a short-circuit of the anode and the cathode in the EL element (see e.g. the Summary of the Invention and Figs. 1A-1C of the present application). Such a remarkable effect is not disclosed or suggested by the cited references.

Therefore, for at least the above-stated reasons, it is respectfully submitted that the claimed invention is patentable over the cited references. Accordingly, it is requested that these rejections be withdrawn.

### IDS

Applicants are submitting an IDS herewith. In light of the RCE being filed, it is requested that this IDS be considered before a further action is issued on this application. Since a RCE is being filed, no fee is believed necessary for the IDS. If any fee is due for this IDS, please charge our deposit account 50/1039.

Conclusion

For at least the above-stated reasons, it is respectfully submitted that the present application is now in condition for allowance and should be allowed.

If any further fee is due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,



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